

DISTRICT OF COLUMBIA
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 ALCOHOLIC BEVERAGE CONTROL BOARD
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 MEETING

IN THE MATTER OF: :

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The Big Stick, LLC, :

t/a The Big Stick :

20 M Street SE : Show Cause

Retailer CR - ANC 6D : Hearing (Status)

License No. 94844 :

Case #18-CMP-00220 :

:

(Allowed a Patron to :
 Leave the Establishment :
 with an Alcoholic :
 Beverage in an Open :
 Container, No ABC :
 Manager on Duty) :

Wednesday,
 January 30, 2019

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Donovan W. Anderson, presiding.

PRESENT:

DONOVAN W. ANDERSON, Chairperson
 NICK ALBERTI, Member
 BOBBY CATO, JR., Member
 MIKE SILVERSTEIN, Member

JAMES SHORT, Member

ALSO PRESENT:

WALTER ADAMS, OAG

ALLISON KAYS, Licensee

P-R-O-C-E-E-D-I-N-G-S

9:45 a.m.

CHAIRPERSON ANDERSON: All right. The next case on our calendar is Case No. 18-CMP-00220, The Big Stick, License No. 94844.

Will the parties, please, approach and identify themselves for the record, please?

MR. ADAMS: Good morning, Mr. Chairman. Walter Adams representing the District of Columbia.

CHAIRPERSON ANDERSON: Good morning, Mr. Adams.

MS. KAYS: Good morning. My name is Allison Kays, General Manager for Big Stick.

CHAIRPERSON ANDERSON: Ms. Kays, do you have a letter, an authorization letter with you this morning?

MS. KAYS: I do.

CHAIRPERSON ANDERSON: Can I have -- can you show that to Mr. Adams? And then you can provide a copy to the Agency, please.

MS. KAYS: Yes.

1 CHAIRPERSON ANDERSON: All right. Mr.
2 Adams, are there any preliminary matters in this
3 case?

4 MR. ADAMS: Yes, Mr. Chairman, there
5 are preliminary matters. For this case, there is
6 two charges. One for -- Charge 1 for the
7 establishment allowing a patron to exit the
8 premises with an open container and Charge 2 for
9 no ABC Manager. We were able to resolve the case
10 for a total fine of \$2,500 and to be paid today.

11 If the establishment does not make
12 such payment today, he understands his license
13 shall be suspended until such payment is made.

14 And how it breaks down, Mr. Chairman,
15 is that for Charge 1, there will be a fine in the
16 amount of \$1,250 and Charge 2, there will also be
17 a fine in the amount of \$1,250. Thus, making the
18 total amount up to \$2,500.

19 CHAIRPERSON ANDERSON: Thank you. Ms.
20 Kays, it's my understanding that there is an
21 Offer in Compromise and the Offer in Compromise
22 is that for Charge 1, there is a fine of \$1,250.

1 For Charge 2, there is also a fine of \$1,250 for
2 a total fine of \$2,500 to be paid today. If the
3 fine is not payable -- made -- if the fine is not
4 paid today, the license will be suspended until
5 the fine has been paid.

6 Is this your understanding of the
7 Offer in Compromise?

8 MS. KAYS: Yes.

9 CHAIRPERSON ANDERSON: Are you aware
10 that by accepting an Offer in Compromise, that
11 you are giving up your right to a hearing?

12 MS. KAYS: Yes.

13 CHAIRPERSON ANDERSON: Are you also
14 aware that by accepting an Offer in Compromise,
15 that you are giving up your right to appeal this
16 matter?

17 MS. KAYS: Yes.

18 CHAIRPERSON ANDERSON: With this said,
19 I then make a motion that the Offer in Compromise
20 for Charge 1 a fine of \$1,250, for Charge 2,
21 \$1,250 for a total fine of \$2,500 payable today.
22 If the fine is not payable today, the license

1 will be suspended until the fine has been paid.

2 Is there a second?

3 MEMBER SHORT: Second.

4 CHAIRPERSON ANDERSON: Mr. Short has
5 seconded the motion.

6 All those in favor say aye.

7 ALL: Aye.

8 CHAIRPERSON ANDERSON: Those opposed?
9 The matter passes 5-0-0.

10 I'll have you sign-off on some
11 paperwork, ma'am and you can go pay the fine.

12 (Whereupon, the Show Cause (Status)
13 Hearing was concluded at 9:49 a.m.)

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<p style="text-align: center;">A</p> <p>a.m 3:2 6:13 ABC 1:11 4:9 able 4:9 accepting 5:10,14 Adams 2:11 3:8,9 3:12,20 4:2,4 Agency 3:21 ALBERTI 1:20 Alcoholic 1:2,10,15 1:15 Allison 2:12 3:14 Allowed 1:9 allowing 4:7 amount 4:16,17,18 ANC 1:7 Anderson 1:17,19 3:3,11,15,19 4:1 4:19 5:9,13,18 6:4 6:8 appeal 5:15 approach 3:6 authorization 3:16 aware 5:9,14 aye 6:6,7</p> <hr/> <p style="text-align: center;">B</p> <p>Beverage 1:2,11,15 1:15 Big 1:6,6 3:5,14 Board 1:2,15 BOBBY 1:20 breaks 4:14 Building 1:16</p> <hr/> <p style="text-align: center;">C</p> <p>calendar 3:4 case 1:8 3:4,4 4:3,5 4:9 CATO 1:20 Cause 1:7 6:12 Chairman 3:9 4:4 4:14 Chairperson 1:16 1:19 3:3,11,15,19 4:1,19 5:9,13,18 6:4,8 Charge 4:6,8,15,16</p>	<p>4:22 5:1,20,20 charges 4:6 Columbia 1:1 3:10 Compromise 4:21 4:21 5:7,10,14,19 concluded 6:13 container 1:11 4:8 Control 1:2,15,15 copy 3:21 CR 1:7</p> <hr/> <p style="text-align: center;">D</p> <p>D.C 1:16 District 1:1 3:9 Donovan 1:17,19 Duty 1:12</p> <hr/> <p style="text-align: center;">E</p> <p>establishment 1:10 4:7,11 exit 4:7</p> <hr/> <p style="text-align: center;">F</p> <p>favor 6:6 fine 4:10,15,17,22 5:1,2,3,3,5,20,21 5:22 6:1,11</p> <hr/> <p style="text-align: center;">G</p> <p>General 3:14 giving 5:11,15 go 6:11 Good 3:8,11,13</p> <hr/> <p style="text-align: center;">H</p> <p>hearing 1:7,15 5:11 6:13</p> <hr/> <p style="text-align: center;">I</p> <p>identify 3:7</p> <hr/> <p style="text-align: center;">J</p> <p>JAMES 1:22 January 1:14 JR 1:20</p> <hr/> <p style="text-align: center;">K</p> <p>Kays 2:12 3:13,14 3:15,18,22 4:20</p>	<p>5:8,12,17</p> <hr/> <p style="text-align: center;">L</p> <p>Leave 1:10 letter 3:16,16 license 1:8 3:5 4:12 5:4,22 Licensee 2:12 LLC 1:6</p> <hr/> <p style="text-align: center;">M</p> <p>M 1:7 ma'am 6:11 making 4:17 Manager 1:12 3:14 4:9 matter 1:5 5:16 6:9 matters 4:2,5 MEETING 1:3 Member 1:20,20,21 1:22 6:3 met 1:15 MIKE 1:21 morning 3:8,11,13 3:17 motion 5:19 6:5</p> <hr/> <p style="text-align: center;">N</p> <p>N.W 1:16 name 3:13 NICK 1:20</p> <hr/> <p style="text-align: center;">O</p> <p>OAG 2:11 Offer 4:21,21 5:7,10 5:14,19 open 1:11 4:8 opposed 6:8</p> <hr/> <p style="text-align: center;">P</p> <p>P-R-O-C-E-E-D-I-... 3:1 paid 4:10 5:2,4,5 6:1 paperwork 6:11 parties 3:6 passes 6:9 patron 1:9 4:7 pay 6:11</p>	<p>payable 5:3,21,22 payment 4:12,13 please 3:6,7,21 preliminary 4:2,5 premises 4:8 PRESENT 1:18 2:9 presiding 1:17 provide 3:21</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p style="text-align: center;">R</p> <p>record 3:7 Reeves 1:16 representing 3:9 resolve 4:9 Retailer 1:7 right 3:3 4:1 5:11 5:15 Room 1:16</p> <hr/> <p style="text-align: center;">S</p> <p>SE 1:7 second 6:2,3 seconded 6:5 Short 1:22 6:3,4 show 1:7 3:20 6:12 sign-off 6:10 SILVERSTEIN 1:21 Status 1:7 6:12 Stick 1:6,6 3:5,14 Street 1:7,16 Suite 1:16 suspended 4:13 5:4 6:1</p> <hr/> <p style="text-align: center;">T</p> <p>t/a 1:6 Thank 4:19 today 4:10,12 5:2,4 5:21,22 total 4:10,18 5:2,21 two 4:6</p> <hr/> <p style="text-align: center;">U</p> <p>understanding 4:20 5:6 understands 4:12</p>
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V	9	
W	9:45 3:2	
W 1:17,19	9:49 6:13	
Walter 2:11 3:9	94844 1:8 3:5	
Washington 1:16		
Wednesday 1:13		
X		
Y		
Z		
0		
00220 3:5		
1		
1 4:6,15,22 5:20		
1,250 4:16,17,22		
5:1,20,21		
14th 1:16		
18-CMP- 3:4		
18-CMP-00220 1:8		
2		
2 4:8,16 5:1,20		
2,500 4:10,18 5:2		
5:21		
20 1:7		
2000 1:16		
20009 1:16		
2019 1:14		
3		
30 1:14		
4		
400S 1:16		
5		
5-0-0 6:9		
6		
6D 1:7		
7		
8		

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: The Big Stick

Before: DC ABRA

Date: 01-30-19

Place: Washington, DC

was duly recorded and accurately transcribed under
my direction; further, that said transcript is a
true and accurate record of the proceedings.

Neal R Gross

Court Reporter

NEAL R. GROSS

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